

COURTESY COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKMICHAEL IOSIF TILMAN and
EMILY ISRAEL OLIN,
Plaintiffs

08 Civ. 2231 (CM)(DCF)

- against -

COMMISSIONER OF INTERNAL REVENUE,
Defendant.

NOTICE OF MOTION

BY HAND DELIVERY

One (1) courtesy hard copy

The Honorable Colleen McMahon
United States District Court
Southern District of New York
Pro Se Office
500 Pearl Street, Room 230
New York, New York 10007
Tel 212-805-0175

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PLEASE TAKE NOTICE that upon the annexed Affirmation to the United States Attorney for the Southern District of New York's "ANSWER" of May 13, 2008 in Opposition to Defendant's Motion to Dismiss the Complaint, and the pleading herein, the plaintiffs will move this Court, before Honorable Colleen McMahon, United States District Judge, for an order pursuant to Rule ____ of the Federal Rules of Civil Procedure granting:
To deny dismissing the complaint about which the defendant prays in "ANSWER" dated May 13, 2008.

We, Michael Iosif Tilman and Emily Israel Olin, declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
May 28, 2008

Michael Iosif Tilman


Emily Israel Olin
333 East 80 Street Apt 1G
New York, NY 10075
Tel. 212-570-0887
Email: mitilman@msn.com

Enclosure: Affirmation of Michael Iosif Tilman and Emily Israel Olin to the United States Attorney for the Southern District of New York's "ANSWER" of May 13, 2008 in Opposition to Defendant's Motion to Dismiss the Complaint, 11 pages.

Cc: Michael J. Garcia, United States Attorney for the Southern District of New York, 86 Chambers Street, 3rd Floor, New York, NY 10007; Attention Joseph N. Cordaro
Assistant United States Attorney (by Fax 212-637-2686)

Copies mailed/faxed/handed to counsel on 9/2/08

9/2/08 - The "motion" is DENIED.
The defendant has simply alleged &
in its answer that it is not filed &
dismissed. The issue is thereby
joined - we now litigate.